

U.S. Patent Application Serial No. 10/620,550  
Amendment dated February 20, 2007  
Reply to Office Action of November 20, 2006

RECEIVED  
CENTRAL FAX CENTER

FEB 20 2007

REMARKS

Applicant has read and considered the Office Action dated November 20, 2006 and the references cited therein. Claims 17 and 24 have been amended. New claim 25 has been added. Claims 3-17 and 20-25 are currently pending.

Claim Objection

In the Office Action dated November 20, 2006, claim 24 was objected to for reciting "a current rail". Applicant has amended claim 24 so as to recite "a curtain rail" instead of "a current rail".

35 U.S.C. § 102 Rejections

In the Office Action dated November 20, 2006, claims 3-17 and 20-24 were rejected under 35 U.S.C. § 102(b) as being anticipated by Voss (U.S. Pat. No. 5,518,056). Applicant, however, respectfully disagrees that Voss anticipates claims 3-17 and 20-24 of Applicant's application since each and every element as set forth in claims 3-17 and 20-24 is not found, either expressly or inherently, in the Voss reference.

The Office Action stated with regard to claim 17 of Applicant's application that Voss discloses "a rail system...wherein after mounting, one of the retaining elements is coupled to the rail to be suspended (via cord 22; rail not shown) and the other of the retaining elements is connected to a *mounting surface* (via cord 20; mounting surface not shown)". Applicant, however, respectfully disagrees that Voss discloses either "a *mounting surface*" or "the other of the retaining elements...connected to a mounting surface".

As correctly noted in the Office Action, a mounting surface is "not shown" in Voss. While Voss does provide some description of structural elements of the window covering in the

U.S. Patent Application Serial No. 10/620,550  
Amendment dated February 20, 2007  
Reply to Office Action of November 20, 2006

"Background of the Invention" in col. 1, lns. 14-31, this description neither shows, discloses, teaches nor suggests a mounting surface. Rather, this description is limited to horizontal blinds using pull cords to adjust the height of the window covering, wherein "the pull cords generally extend downwardly from the *headrail assembly* positioned within or behind a valance assembly adjacent the top of the window being covered." The headrail assembly of Voss is not a mounting surface as recited in claim 1. As Voss states only that the pull cords extend downwardly from a headrail assembly and provides no suggestion or teaching of a mounting surface, Applicant respectfully disagrees that Voss anticipates claim 17 of Applicant's application.

Moreover, Applicant respectfully asserts that Voss does not disclose, teach or suggest that "the other of the retaining elements is *connected* to a mounting surface (via cord 20; mounting surface not shown)". In col. 1, lns. 20-28, Voss states that "the cord assembly which raises and lowers the bottommost slat or sill rail of the window covering is a closed-loop. The closed-loop has two cords extending downwardly from the headrail which meet to form a U-shape or loop. One of the downwardly extending cords adjusts the horizontal positioning of the bottommost slat...of the window covering while the other cord adjusts the other end of the same slat or sill rail." In other words, this description states that one cord controls one end of the bottommost slat while the other cord controls the other end of the bottommost slat. Yet based on this limited description in Voss, it was concluded in the Office Action that "one of the retaining elements is coupled to the rail to be suspended (via cord 22; rail not shown) and the other of the retaining elements is connected to a mounting surface (via cord 20; mounting surface not shown)". Applicant respectfully asserts based on the Voss specification, which only suggests "two cords extending downwardly from the headrail", that there is no support in the Voss reference for the conclusion that "one of the retaining elements is coupled to the rail to be suspended (via cord 22; rail not shown) and the other of the retaining elements is connected to a mounting surface (via cord 20; mounting surface not shown)".

U.S. Patent Application Serial No. 10/620,550  
Amendment dated February 20, 2007  
Reply to Office Action of November 20, 2006

Therefore, as Voss does not teach or suggest each and every element in Applicant's claim, Applicant respectfully asserts that claim 17 is not anticipated by Voss. However, in the interest of expediting prosecution, Applicant has amended claim 17 to further distinguish claim 17 from Voss. Claim 17 now recites "a rail to be suspended to a mounting surface, wherein the rail is configured to suspend a curtain therefrom". As Voss does not disclose a mounting surface, Applicant believes amended claim 17 is further distinguishable from Voss. Therefore, as Applicant asserts that claim 17 is in condition for allowance for the reasons stated above, Applicant respectfully requests that the § 102(b) rejection be withdrawn.

As claims 3-16 and 20-24 are dependent on claim 17, which Applicant believes is in condition for allowance, Applicant respectfully requests that the § 102(b) rejection regarding these claims also be withdrawn.

35 U.S.C. § 103 Rejections

In the Office Action dated November 20, 2006, claim 15 and 16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Voss. However, as claims 15 and 16 are dependent on claim 17, which Applicant believes is in condition for allowance for the reasons stated above, Applicant respectfully requests that the § 103(a) rejection of claims 15 and 16 be withdrawn.

New Claim 25

Applicant has added claim 25, support for which is provided in the specification. Applicant respectfully requests consideration of claim 25. As claim 25 is dependent on claim 17, which Applicant believes is in condition for allowance for the reasons stated above; Applicant believes claim 25 is in condition for allowance as well. Moreover, Applicant asserts that the lower rail groove is neither shown nor suggested by Voss or any other prior art and is also allowable for at least these additional reasons.

U.S. Patent Application Serial No. 10/620,550  
Amendment dated February 20, 2007  
Reply to Office Action of November 20, 2006

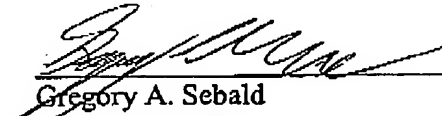
In view of the above amendments and remarks, Applicant respectfully requests a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.



Respectfully submitted,

MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
612/332-5300

Date: 2/20/07

  
\_\_\_\_\_  
Gregory A. Sebald  
Reg. No. 33,280

GAS/km